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Uttlesford District Council  
Council Offices  
London Road  
Saffron Walden  
Essex  
CB11 4ER

Direct Dial: ██████████

Our ref: P01567469

15 November 2023

Dear ██████████

**T&CP (Development Management Procedure) (England) Order 2015  
& Planning (Listed Buildings & Conservation Areas) Regulations 1990**

**LAND WEST OF HIGH STREET, STEBBING , ESSEX  
Application No. UTT/23/2496/FUL**

Thank you for your letter of 16 October 2023 regarding the above application for planning permission. On the basis of the information available to date, we offer the following advice to assist your authority in determining the application.

**Summary**

The sites proposed for development comprise two areas of pasture located within the setting of Stebbing Park - the historic site of the manor of Henry de Ferrers, which includes a scheduled motte castle and a grade II\* listed building. The application sites fall outside of but are adjacent to Stebbing Conservation Area. The proposal is for the change of use and implementation of 28 dwellings across two separate development sites also including community parking and local amenity facilities.

The proposals would have a harmful impact on the setting of the scheduled motte castle by impacting on important views of the monument within the landscape and on its visual relationship with the historic settlement along High Street; they would also impact on the grade II\* listed Stebbing Park by encroaching on open fields that contribute to its prominence.

Harm to the conservation area would be twofold: by diminishing the prominence of one of its key landmarks, and by eroding the rural feel that contributes strongly to its special character.

Because the proposals will cause harm to these assets, it will need to be considered in line with paragraphs 199, 200 and 202. When it comes to weighing up this harm to heritage, the Council will need to consider whether any public benefits that the



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development delivers outweigh the harm and that they can only be delivered in this particular location.

In terms of heritage as a public benefit, the benefits do not outweigh the harm caused by the erosion of the rural character that contributes to the assets and the visual interference of the dwellings into the settings of the motte castle and Stebbing Park. Consequently, the proposals cannot be supported and therefore recommend the application is withdrawn or else refused.

### **Historic England Advice**

#### *Significance of the assets*

Stebbing Park is a prominent site within Stebbing village. It comprises the site of the historic manor of Henry de Ferrers, one of the Norman lords who took ownership of the village from Siward, the former Saxon ruler.

Stebbing Park includes The Mount, a well-preserved motte castle, built between the 11<sup>th</sup> to the 13<sup>th</sup> centuries on a prominent spur facing the Stebbing Brook. West of the motte and nestled on a picturesque parkland setting with views over the river lies the manor complex: the principal building is a mid-16<sup>th</sup> century timber framed structure with later additions and alterations; it also includes other ancillary buildings, such as a 13<sup>th</sup> century barn, which still survive.

The relation between manor and motte is of relevance. Historic Ordnance Survey maps show a bridge over the ditch and a winding path to what could possibly had been an eye catcher or folly on top, presumably visible from the land around. The park seems would have included gardens/pleasure grounds south and west of the house and west of the motte. Later maps show an imposing tree-lined avenue providing access to the complex from the road leading to the village, which still survives.

The complex is a key landmark in the village. Its location on rising grounds at the north end of High Street provides a counterpart to St Mary's Church on the opposite end: religious and civil power either end of the historic settlement create a memorable image that illustrates the balance of power in the settlement in medieval times.

Due to the nature, location of the monument and topography of the site, neither the motte castle nor the former manor are easily recognised when moving along High Street and The Downs. In this instance, it is the openness of the pasture fields that surround the site, their rural and tranquil character in opposition to the busy High Street, which is crucial to our understanding of the site and its prominence and make an important contribution to its significance.



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Stebbing manor and The Mount form an important group in the landscape, in continuous occupation from the Norman Conquest onwards. The significance of Stebbing Park and the structures within it is recognised in their heritage designations: The Mount is a scheduled monument; the principal building at Stebbing Park, a grade II\* listed building.

In turn, the significance of Stebbing and its special character was recognised on its early designation as a Conservation Area, back in 1977.

Stebbing Neighbourhood Development Plan 2019 - 2033 (SNDP) was adopted in 19 July 2022 by the District Council as part of the statutory development plan. The plan establishes a vision for the evolution and long-term sustainability of Stebbing Parish and village. It sets out a vision for the future of the parish and planning policies which will be used to determine planning applications locally.

#### *Impact of the proposals*

The sites that are proposed for development comprise two large areas of pasture along the west side of The Downs north of High Street - North Field and South Field. The proposal is for the change of use of the land for residential and considers the construction of 28 dwellings alongside community parking and local amenity facilities. Housing would be grouped in four clusters - Plots A, B, C and D - on a cul-de-sac arrangement. The land closer to the monument would be left open and landscaped.

The principle of developing this land for residential would introduce considerable instances of harm to the significance of a number of highly graded heritage assets through development within their setting, namely, the complex of designated assets - scheduled monument and grade II\* listed building - in Stebbing Park, as well as to the setting of the conservation area. Furthermore, the proposals would go against the policies and vision set up in the Stebbing Neighbourhood Development Plan. Consequently, Historic England has strong concerns on heritage grounds.

#### *Planning Policy*

The statutory requirement to have special regard to the desirability of preserving a listed building, its setting and any features of special interest (s. 16, Planning (Listed Building and Conservation Areas) Act 1990) must be taken into account by your authority when making its decision.

The NPPF reflects this by making the conservation and enhancement of the historic environment, a fundamental part of its policy, including, in the case of heritage assets, requiring local planning authorities to look for opportunities to enhance or better reveal



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their significance (paragraph 206); compliance with both the statutory requirements can only be achieved by seeking to enhance the special interest of the heritage assets.

Paragraph 199 states that harm of any level requires clear and convincing justification, with great weight being given to the conservation of the heritage assets in question. Paragraph 200 goes on to say that harm - of any level - requires a clear and convincing justification.

Paragraph 202 asks that, where a development proposal would lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.

#### *Historic England Position*

We appreciate the applicant's ambition for these sites but their relevance in relation to the setting of the scheduled motte castle, the grade II\* Stebbing Park, and the conservation area is quite significant and makes it quite sensitive to development. This sensitivity was recognised on their designation as Local Green Spaces in the adopted Neighbourhood Development Plan.

*The Mount.* The relation of Stebbing Park with the village and the church is of importance, as it contributes to our understanding of its strategic location in relation to the historic settlement, the river and the relationships established between them. Views of the houses nestled along High Street and the motte castle are available from the higher grounds of the South Field. The development of plots C and D on this site would introduce built development precisely on the areas where these views are afforded. This would be harmful primarily to the setting of the motte castle but would also impact on the prominence of Stebbing Park as a whole.

*Stebbing Park.* The tree-lined avenue is a significant component of Stebbing Park, a reference of its important status. Views of this avenue are most prominent from the public footpaths across the North Field, in The Downs. The development of Plots A, B and C would encroach on open fields that contribute to the wider setting of the former manor, detracting from its prominence and harming its significance.

*Stebbing Conservation Area.* Harm to the significance of the conservation area would be twofold: First, by detracting from the prominence of one of its key landmarks - the seat of power of Stebbing Park. Second, by eroding the open, rural feel that forms an important component of its special character, most particularly on this specific character area. The proposed development would destroy the remaining sense of openness and views into the countryside along the west side of The Downs north of

High Street by enclosing the lane with residential development.

In that regard, it needs to be noted the consideration given to Local Green Spaces (Policy STEB2) and Important and Protected Views (Policy STEB7) in the adopted SNDP. The North and South Field subject of the current application are designated Local Green Spaces. Relatedly, Views 4-7 would be impacted as a result of the proposed development.

The proposal will be harmful to the significance of a number of heritage assets. The harm is considerable and needs to be given appropriate weighting in the decision-making process. When it comes to weighing up this harm to heritage, the Council will need to consider whether any public benefits that the development delivers outweigh the harm and that they can only be delivered in this particular location, and against the determinations on the adopted Neighbourhood Plan.

We note the Amenity Benefits document included as part of the submission. In heritage terms, the benefits do not outweigh the harm caused by the erosion of the rural character that contributes to the assets and the visual interference of the dwellings into the settings of the motte castle and Stebbing Park. Consequently, the proposals cannot be supported and recommend the application is withdrawn or else refused.

### **Recommendation**

Historic England objects to the application on heritage grounds. We consider that the application does not meet the requirements of the NPPF, in particular paragraph numbers 199, 200 and 206.

In determining this application you should bear in mind the statutory duty of section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess.

In addition, section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 asks you to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.

We also draw your attention to section 38(6) of the Planning and Compulsory Purchase Act 2004, which asks you to determine planning applications in accordance with the development plan unless material considerations indicate otherwise.



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Your authority should take these representations into account in determining the application. If there are any material changes to the proposals, or you would like further advice, please contact us. Please advise us of the decision in due course.

Yours sincerely

**Rosa Teira Paz**  
Inspector of Historic Buildings and Areas



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